

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**CHARLESTON DIVISION**

AIMEE W.,

Plaintiff,

v.

CIVIL ACTION NO. 2:23-cv-00025

KILOLO KIJAKAZI,  
Acting Commissioner of Social Security,

Defendant.

**ORDER**

This action was referred to United States Magistrate Judge Cheryl A. Eifert for submission of proposed findings of fact and recommendations for disposition pursuant to 28 U.S.C. § 636(b)(1)(B). On October 4, 2023, Magistrate Judge Eifert submitted her Proposed Findings & Recommendation (“PF&R”), [ECF No. 14], finding that the Administrative Law Judge’s decision was based on substantial evidence and recommending that: (1) Plaintiff’s request for judgment on the pleadings be denied; (2) the Commissioner’s request for judgment on the pleadings be granted; (3) the Commissioner’s decision be affirmed; and (4) this case be dismissed and removed from the docket of the Court.

The deadline for the parties to file objections to the PF&R was October 23, 2023. Neither party filed any objections to the PF&R.

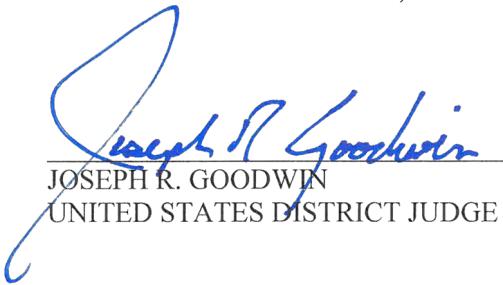
A district court “shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.”

28 U.S.C. § 636(b)(1)(C). This court is not, however, required to review—under a de novo or any other standard—the factual or legal conclusions of the magistrate judge as to those portions of the findings or recommendation to which no objections are addressed. *Thomas v. Arn*, 474 U.S. 140, 149–50 (1985).

Because the parties have not filed objections in this case, the court adopts and incorporates herein the PF&R and orders judgment consistent therewith. Plaintiff's request for judgment on the pleadings is **DENIED**; the Commissioner's request for judgment on the pleadings is **GRANTED**; the Commissioner's decision is **AFFIRMED**; and this civil action is **DISMISSED**.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: November 3, 2023



JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE